

09-15-04

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PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

61

Application Number

10/766,747

Filing Date

January 28, 2004

First Named Inventor

Shigeo Morimoto

Art Unit

1623

Examiner Name

Ellie Peselov

Attorney Docket Number

A0407-001592A

ENCLOSURES

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):Original specification incorporating certificate
of correction
Statement of Facts to Support Petition
Petition Fee for \$130.00
Return Postcard**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Patterson, Belknap, Webb & Tyler LLP

Signature

Printed name

Stuart E. Pollack

Date

September 14, 2005

Reg. No.

43,862

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Date

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ATTORNEY DKT NO.: A0407-001592A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Serial Number:)	
10/766,747)	
)	
Applicants: Shigeo Morimoto et al.)	Group Art Unit:
)	1623
Filed: January 28, 2004)	
)	Confirmation No.:
In re Reissue Application)	3658
of U. S. Patent No. 6,342,590)	
)	Examiner:
For: Erythromycin A Derivatives and)	Elli Peselev
Method for Preparing Same)	

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 14, 2005

EXPRESS MAIL CERTIFICATE

Express Mail Label No.:EJ771306230US

Date of Deposit: September 14, 2005

Sir:

I hereby certify that the following attached papers:

1. Transmittal Form SB/21;
2. Amendment and Response to Final Rejection Under 37 C.F.R. § 1.116 (20 pages);
3. Reissue Specification in double-column format, including certificate of correction changes (7 pages of specification, incl. 1 pages of claims, 1 page of abstract);
4. Supplemental Reissue Declaration Under 37 C.F.R. §1.175, signed by five inventors, with a blank signature block for the sixth inventor (25 pages);
5. Fee Transmittal Form SB56 (1 page) (**2 copies**);
6. Check for additional independent claim in the amount of \$200.00 payable to "Director of the U.S. Patent and Trademark Office";
7. Petition Under 37 C.F.R. §1.47 (2 pages);
8. Statement of Facts to Support Petition Under 37 C.F.R. § 1.47 (2 pages);

9. Check for Petition under 37 C.F.R. § 1.47 in the amount of \$130.00 payable to "Director of the U.S. Patent and Trademark Office"; and

10. Return Post Card.

are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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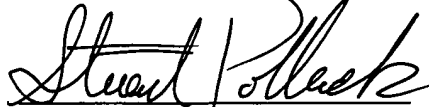
Patterson, Belknap, Webb & Tyler LLP

1133 Avenue of the Americas

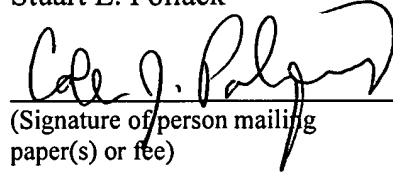
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Stuart E. Pollack



(Signature of person mailing
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Customer No. 23723



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REISSUE APPLICATION FEE TRANSMITTAL FORM

Docket Number (Optional)
A0407-001592A

Claims as Filed – Part 1

	(1) Claims in Patent	(2) Number Filed in Reissue Application	(3) Number Extra	Small Entity		or	Other than a Small Entity	
				Rate	Fee		Rate	Fee
Total Claims (37 CFR 1.16(j))	(A)	(B)	**** =	x \$ ____ =			x \$ ____ =	
Independent claims (37 CFR 1.16(i))	(C)	(D)	* =	x \$ ____ =			x \$ ____ =	
Basic Fee (37 CFR 1.16(h))				\$ ____				\$ ____
Total Filing Fee				\$ ____			OR	\$ ____

Claims as Amended – Part 2

	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		or	Other than a Small Entity	
					Rate	Fee		Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 18	MINUS	** 20	* = 0	x \$ ____ =			x \$ ____ =	0
Independent Claims (37 CFR 1.16(i))	*** 4	MINUS	***** 3	= 1	x \$ ____ =			x \$ 200 =	200
Total Additional Fee					\$			OR	\$ 200.00

* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

*** After any cancellation of claims.

**** If "A" is greater than 20, use (B – A); if "A" is 20 or less, use (B – 20).

***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ Please charge Deposit Account Number _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.

☒ The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account Number 16-0633.
A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ 200.00 _____ to cover the filing/additional fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

September 14, 2005

Date

43,862

Registration Number, if applicable

Signature of Applicant, Attorney or Agent of Record

Stuart E. Pollack

Typed or printed name

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